

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NEAL GOLDMAN,

Plaintiff,

-v-

RISHI GAUTAM et al.,

Defendants.

21-CV-0313 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

For reasons the Court will explain orally at the initial pretrial conference on June 24, 2021, the Court GRANTS in part and DENIES in part Defendant Paul Penney's motion to dismiss the Amended Complaint. *See* ECF No. 10. In particular, the motion is granted with respect to Plaintiff's breach of contract claim against Mr. Penney, which is hereby dismissed with prejudice, and denied with respect to Plaintiff's fraudulent inducement and fraud claims. Mr. Penney shall file an answer to the surviving claims by **July 6, 2021**. The parties, including Mr. Penney, shall file a new joint letter and proposed case management plan by **June 17, 2021**.

Separately, the Court inadvertently overlooked that Defendants Rishi Gautam, River Cities Investments, LLC, and Riverforce Partners, Inc. have indeed already filed an answer to the Amended Complaint, *see* ECF No. 18, and apologizes for any confusion that the Court's Order of June 11, 2021, may have caused.

Finally, the initial pretrial conference will be held remotely by teleconference in accordance with Rule 2(A) of the Court's Emergency Individual Rules and Practices in Light of COVID-19, available at <https://nysd.uscourts.gov/hon-jesse-m-furman>. The parties should join the conference by calling the Court's dedicated conference line at (888) 363-4749 and using access code 542-1540, followed by the pound (#) key. (Members of the public and press may also attend using the same dial-in information; they will not be allowed to speak during the conference.)

As stated in Rule 2(C)(ii) of the Court's Emergency Individual Rules and Practices in Light of COVID-19, **no later than 24 hours before the conference**, the parties shall send a joint email to the Court with a list of counsel who may speak during the teleconference and the telephone numbers from which counsel expect to join the call. More broadly, counsel should review and comply with the rules and guidance regarding teleconferences set forth in the Court's Emergency Individual Rules and Practices in Light of COVID-19.

The Clerk of Court is directed to terminate ECF No. 10.

SO ORDERED.

Dated: June 14, 2021
New York, New York

A handwritten signature in black ink, appearing to read 'Jesse M. Furman', is written over a horizontal line.

JESSE M. FURMAN
United States District Judge